

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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**FILED**

**MAR 31 2004**

IN THE MATTER OF THE INDIANA )  
UTILITY REGULATORY )  
COMMISSION'S INVESTIGATION OF )  
MATTERS RELATED TO THE FEDERAL )  
COMMUNICATIONS COMMISSION'S )  
REPORT AND ORDER AND ORDER ON )  
REMAND AND FURTHER NOTICE OF )  
PROPOSED RULEMAKING IN CC )  
DOCKET NOS. 01-338, 96-98, AND 98-147 )

INDIANA UTILITY  
REGULATORY COMMISSION  
**CAUSE NO. 42500-S2**

You are hereby notified that on this date the Presiding Officers in this Cause make the following Entry:

On March 31, 2004, in response to our March 15, 2004, Docket Entry, AT&T Communications of Indiana, GP and TCG Indianapolis (collectively, "AT&T"), filed a *Loop/Transport Hearing Management Statement* ("Hearing Statement") advising that AT&T has conferred with counsel for the Indiana Office of Utility Consumer Counselor, Indiana Bell Telephone Company, Inc. d/b/a SBC Indiana, Cinergy Communications Company, Covad Communications Co., KMC Telecom, McLeodUSA Telecommunications Services, Inc. ("McLeod"), Nuvox Communications of Indiana, Inc., Sage Telecom, Inc., Sprint Communications Company, LP, Talk America, Inc., Time Warner Telecom of Indiana, L.P., United Telephone Company of Indiana, Inc., Verizon North, Inc., WorldCom, Inc. d/b/a MCI and Z-Tel Communications, Inc.

The Hearing Statement, among other things, advises that the parties anticipate, based on their experience in litigating loop and transport issues in other states, the Evidentiary Hearing in this Cause can be completed in one day and, if not, there is a high likelihood it will conclude on the second day. The Evidentiary Hearing in this Cause (Cause No. 42500-S2) is currently scheduled to commence on Monday, April 5, 2004, with four consecutive days set aside to complete the hearing. (The parties are reminded that Friday, April 9 is a State holiday and State offices will be closed on that day.) In order to accommodate both witness and lawyer schedules, the parties, with the exception of McLeod and Verizon, neither of which intends to participate in this Cause, agree and propose that the Evidentiary Hearing commence on Wednesday, April 7, 2004, with completion of the hearing anticipated to be no later than on April 8, 2004.

We find the parties' proposal to change the commencement date of the Evidentiary Hearing in this Cause to be reasonable. Therefore, the Evidentiary Hearing


in Cause No. 42500-S2 will commence on April 7, 2004, at 9:30 a.m. EST in Room TC-10 of the Indiana Government Center South, Indianapolis, Indiana.

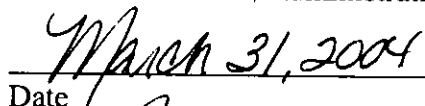
The Hearing Statement also contains a proposed order of witnesses, a statement that the parties have agreed to allow AT&T witness Bruce Findlayson to adopt and be cross-examined on the substantive portions of the prefiled testimony of AT&T witness Anthony Giovannucci, and a proposal that SBC Indiana offer its direct and rebuttal testimonies, and be cross-examined thereon, at the same time. We have no objection to these proposals.

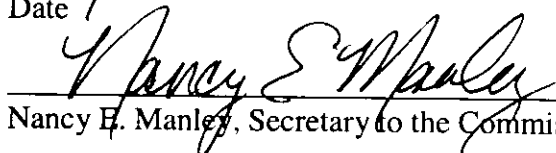
Finally, the Hearing Statement advises that, while they have not agreed to waive cross-examination of any witness, the parties stipulate to the admissibility of the prefiled direct and rebuttal testimonies of Scott J. Alexander, and the direct testimonies of Gary J. Ball and Anthony Giovannucci.

**IT IS SO ORDERED.**

  
Judith G. Ripley, Commissioner

  
William G. Divine, Administrative Law Judge

  
Date

  
Nancy E. Manley, Secretary to the Commission